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ANATOLY S. WEISER

3525 DEL MAR HEIGHTS ROAD, #295

SAN DIEGO, CA 92130

EXAMINER

THERIAULT, STEVEN B

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/577,190	Applicant(s) CATHERIINE LIN-HENDEL	
	Examiner STEVEN B. THERIAULT	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 and 29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25, 29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the following communications: Arguments filed 5/24/2007.
2. Claims 1-25, 29 are pending in the case. Claims 1, 2, 22, 23, 24, and 29 are the independent claims. Claims 26-28 are cancelled. Claim 29 is new.

In view of the appeal brief filed on 01/08/2008, **PROSECUTION IS HEREBY REOPENED**. A new grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

Claim Rejections - 35 USC § 102

3. **The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:**

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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4. **Claims 1-2, 9-11, 14-15, 20-21, 24-25, 29 are rejected under 35 U.S.C 102(e) as being anticipated by Bates et al. (hereinafter Bates) U.S. Patent No. 5877766 issued Mar. 2, 1996 and filed Aug. 15, 1997.**

With regard to **Independent claim 1**, Bates teaches a system for navigating and browsing electronic media, comprising:

- *A device enabling viewing of digitally stored information, the device being configured to display at least portions of a categorization structure having a plurality of nested cascading category levels (Bates, column 6, lines 30-36) Bates shows a nested categorization structure with connected nodes. Bates shows the media items in a nested in structure (see figure 1). Bates teaches a parent child node structure where Parent nodes are displayed as bars and child nodes extend from the bars and represented by circles on the bars see column ten lines 25 -60. Bates teaches that each node in the structure are represented as HTML documents and can represent a variety of media types (See column 13, lines 20-35). The nodes are linked by association either directly or indirectly and are represented as such through a series of interconnected linkages. Bates further teaches the structure can be applied to databases and **menu systems** (See column 6, lines 60-67).*
- *Each category level of the plurality of nested cascading category levels comprising a plurality of category titles of electronic media content stored on a storage device (Bates column 6, lines 35-60) Bates shows the linked objects can be multimedia items consisting of moving images, sounds, animations, HTML documents etc. Bates further teaches the linked records can be a vocal or on a wide area network and show information from a database or menu system (See Column 6, lines 60 – 67 and column 13, lines 20-35).*
- *Each category title having a selectable link-token to the stored content for said each category title, (Bates column 10, lines 25-41 and column 22, lines 1-15 and column 32, lines 49-60) Bates teaches that the link elements are html pages and are selectable items*

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and a stored content within a map to and allow the user to browse a data structure. Each node represents stored content (See column 9, lines 10-25) and can be browsed as the user desires (See column 22, lines 1-10 and a user can select a node down in the map through a user click to see the information for the given node and then select a node higher in the map to see that node (See column 24, lines 47-55 and column 23, lines 40-50), which in the examiners opinion, provides a mechanism for the user to browse from any node to any other node in the map.

- Each category title also being coupled to the category title's hidden nested subcategory structure of said each category title, the hidden nested sub-category structure of said category title comprising link tokens of category titles comprised in said each category title and the category titles in the different plurality of category levels able to be browsed independently of having to select and retrieve the stored content for any title from the storage device (Bates column 22, lines 1-15 and column 23, lines 40-50 and column 24, lines 47-55 and column 26, lines 60-67 and column 27, lines 1-35 and column 29, lines 50-67). Bates teaches several different mechanisms for allowing the user to select a node, which can be a subject matter specific node on the map that represents another sub-map. Bates teaches the node could be a minimized collection of sites that are not a frequently used and iconified. Further, Bates teaches the ability to link subject specific maps to one another even if there isn't a specific link to the map and iconifying the subject specific info, which is a hidden structure that can be retrieved with a single or double click (See column 29, lines 35-41).*
- Wherein the categorization structure enables a user viewing content from **any** category title in the categorization structure to retrieve content of any other category title in the categorization structure using a single retrieve command (See Bates figure 1). Bates clearly teaches the user can view content in one node, via the opened browser (See column 9, lines 10-25) and can select through a click (See column 22, lines 1-10 and column 24, lines 47-55) any other node on the graph structure to see the contents of the

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desired node. Bates clearly shows several levels and subject matter specific category nodes can be displayed (See column 33, lines 10-15).

With respect to **dependent claim 2**, Bates teaches a system for tracking the navigation and browsing of electronic media, and facilitating the changing of navigation and browsing path, the system comprising a computer configured to display to a user pages of content within an inter-linked content structure comprising at least three category levels, and to enable the user to retrieve at will with one single click any desired content page within inter-linked content structure from a display of every other content page of the inter-linked content structure (Bates column 6, lines 37-60 and Bates figure 1). Bates clearly teaches a system that allows the user to map a navigation path through a series of documents on the internet. Bates shows the inter-connected pages can be shown in any number of levels (See column 32, lines 10-20). Bates clearly teaches the user can view content in one node, via the opened browser (See column 9, lines 10-25) and can select through a single click (See column 22, lines 1-10 and column 24, lines 47-55) any other node on the graph structure to see the contents of the desired node. Bates clearly shows several levels and subject matter specific category nodes can be displayed (See column 33, lines 10-15). Bates teaches the node information is displayed in a browser window next to the node (See column 7, lines 10-25). Bates teaches the linked nodes are visually adjoined to one another via links between (See Bates column 7, lines 40-55).

With respect to **dependent claim 9**, Bates teaches the *system wherein the system has a selectable number of category level* (Bates column 32, lines 14-25).

With respect to **dependent claim 10**, Bates teaches the *system, wherein the system has a selectable number of category titles in each category level* (Bates column 33, lines 5-15).

With respect to **dependent claim 11**, Bates teaches the *system, wherein the system is implemented using software* (Bates column 8, lines 29-35 and 60-67).

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With respect to **dependent claim 14**, Bates teaches the *system wherein a browser can browse the categorization structure independently of any media content displayed on the display device*. (Bates column 22, lines 1-10 and figure 1 and column 11, lines 50-67 and column 15, 45-67). Bates teaches a browser, meaning a user, can browse the structure visually and can select any one of the nodes displaying content on the display device.

With respect to **dependent claim 15**, Bates teaches the *system wherein a browser can navigate and browse the different category titles in the different category levels of the categorization structure without having to select and retrieve a page of media content from the storage device and without having to navigate back and forth between different pages of media content* Bates column 22, lines 1-10 an figure 1 and column 11, lines 50-67 and column 15, 45-67). Bates teaches a browser window is open for each node on the map, which would allow the user to see content without having to navigate back and forth between the pages.

With respect to **dependent claims 20 and 21**, Bates teaches the *system wherein a browser can navigate back and forth between a category title in a first category level and a category title in a second category level of the categorization tree structure* (Bates Figure 1 and column 11, lines 45-67 and column 25, lines 45-67). Bates teaches a process of opening a browser window for each node on a tree. Nodes are displayed in a parent and child arrangement where connected nodes are shown in a first, second, third, nth, level arrangement. Bates teaches the user can view the map and can allow the user to navigate between the nodes with a click (See column 24, lines 47-55) and where the nodes can be subject specific matter (See column 22, lines 1-25). Further, there is no restriction on the user from navigating or viewing sections of the map and the user can click on any adjoining or non-adjoining section of the map or sub-map and can even dynamically generate maps to navigate new structure.

In regard to **claims 24-25 and 29**, claims 24-25, 29 reflect substantially similar subject matter as presented in claim 1 and 2, and in further view of the following, are thus rejected along the same

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rationale. As mentioned in the rejection above, Bates teaches a navigation mechanism that allows a user to view an entire categorization structure (See column 6, lines 35-67 and figure 1) but also allows the user to select nodes anywhere on the map (See column 24, lines 47-55). The nodes on the map represent a root or parent node and the corresponding nodes displayed below the root are child or connected nodes. By selecting a new sub-map the user can chose different browsing paths for different subject matter from another path displayed in the map. Non-adjoining nodes from another subject can also be placed on the map allowing subject matter from other areas to be displayed to the user. Bates teaches several different mechanisms for allowing the user to select a node, which can be a subject matter specific node on the map that represents another sub-map (Bates column 22, lines 1-15 and column 23, lines 40-50 and column 24, lines 47-55 and column 26, lines 60-67 and column 27, lines 1-35 and column 29, lines 50-67).. Bates teaches the node could be a minimized collection of sites that are not a frequently used and iconified. Further, Bates teaches the ability to link subject specific maps to one another even if there isn't a specific link to the map and iconifying the subject specific info, which is a hidden structure that can be retrieved with a single or double click (See column 29, lines 35-41).

Claim Rejections - 35 USC § 103

3. **The following is a quotation of the appropriate paragraphs of 35 U.S.C. 103 that form the basis for the rejections under this section made in this Office action:**

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 3-8, 16-19, 22-23 are rejected under 35 USC 103(a) as being unpatentable over Bates et al. (hereinafter Bates) U.S. Patent No. 5877766 issued Mar. 2, 1996 and filed Aug. 15, 1997, in view of Finseth et al. (hereinafter Finseth) U.S. Patent No. 6,271,840 Aug. 7, 2001 and Filed Sept. 24, 1998.**

With respect to **dependent claim 3**, Bates teaches the *system wherein link tokens of one or more category titles in a first category level of the plurality of nested cascading category levels are displayed for viewing on a display device* (See Bates figure 1 and column 6, lines 37-60).

Bates does not expressly teach the structure is displayed *in response to placing a cursor on a starting symbol representing a gateway to viewing the categorization structure displayed on the display device, without clicking*

Finseth teaches that a search result is presented to the user and the user can place the cursor over the result and in either a popup or frame or representation next to the result and image map appears showing the content linked to the first result (Finseth Figures 5-8 and column 8, lines 45-67 and column 9, lines 5-20 and column 10, lines 1-15). The subsequent information is presented to the user with or without clicking on the content and the subsequent information can comprise links to further information that would also comprise image information for subsequent links. The hidden structures are not displayed until the user moves the cursor over the link and the titles contain link tokens to the information (See column 5, lines 10-20). Bates and Finseth teach displaying search results and displaying HTML maps. They both also teach a process of displaying to the user in a browser window the search results without removing the other search information from the display.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention, having the teachings of Finseth and Bates in front of them, to combine the Java Script controls in Finseth to allow the browser window to popup without clicking with the browser popup in Bates to allow the browser to popup without clicking. Bates teaches capturing a variety

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of events on the browser window, which can be JavaScript events (See column 6, lines 50-52) and column 14, lines 1-15) and Finseth describes a specific example of a JavaScript event to open a browser window, which is the motivation to combine the two references. Moreover, Bates teaches navigation and display features known in conventional GUI systems can include displaying frames within the map display and Finseth teaches the contents of a frame within a browser would change according to aspects within JavaScript.

With respect to **dependent claim 4**, Bates teaches the system, wherein the link-tokens of one or more category titles in the first category level are displayed on the display device underneath the starting text-string or a symbol representing the gateway to viewing the categorization structure (Bates column 25, lines 30-45 and column 25, lines 57-62 and column 31, lines 55-67 and column 32, lines 49-60 and column 33, lines 32-40).

With respect to **dependent claim 5**, Bates teaches the system wherein placing the cursor on one link-token of the link-tokens of one or more category titles in the first category level causes the title corresponding to the one link-token to be highlighted and causes a second category level having a second plurality of titles to be displayed alongside the first category level, the plurality of titles in the second category level being sub-categories of the category title highlighted in the first category level (Bates column 25, lines 30-45 and column 25, lines 57-62 and column 31, lines 55-67 and column 32, lines 49-60 and column 33, lines 32-40 and). Bates teaches an automatic map display that is generated within an existing map that indicates highlights and filters the tree based on the search criteria and by selecting a given node to present a popup menu (See column 32, lines 25-35). Bates teaches that in large tree maps it may be useful to indicate to the user through visual indicators the association with other nodes. Therefore, based on a search event that can be generated by placing a cursor over a node in the first or root node, the node can be highlighted and the sub-nodes matching the search criteria can be also displayed to the user. Bates shows the nodes directly displayed underneath one another in figure one. If the nodes,

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where directly under one another as shown in figure 1, 62, 76, 66, etc then the displayed information in the browser window would be displayed alongside the first category level.

With respect to **dependent claim 6**, Bates teaches the *system wherein the titles in the first category level are displayed in a first listing-area with the titles listed one under the other* (Bates column 25, lines 30-45 and column 25, lines 57-62 and column 31, lines 55-67 and column 32, lines 49-60 and column 33, lines 32-40). Bates specifically teaches displaying information within menu systems (See column 6, lines 50-67).

With respect to **dependent claim 7**, Bates teaches the *system wherein the titles in the second category level are displayed in a second listing-area with the titles listed one under the other* (Bates column 25, lines 30-45 and column 25, lines 57-62 and column 31, lines 55-67 and column 32, lines 49-60 and column 33, lines 32-40). Bates specifically teaches displaying information within menu systems (See column 6, lines 50-67). Bates also teaches that each level contains a browser window where a first level has a browser and the second level has a browser that can display search results or links in a sub-map.

With respect to **dependent claim 8**, Bates teaches the *system, wherein placing the cursor on one of the category titles displayed in the second category level causes said title to be highlighted and causes a third category level having a third plurality of category titles to be displayed alongside the second category level, the plurality of titles in the third category level being sub-categories of the highlighted title displayed in the second category level* (Bates column 25, lines 30-45 and column 25, lines 57-62 and column 31, lines 55-67 and column 32, lines 49-60 and column 33, lines 32-40 and). Bates teaches an automatic map display that is generated within an existing map that indicates highlights and filters the tree based on the search criteria and by selecting a given node to present a popup menu (See column 32, lines 25-35). Bates teaches that in large tree maps it may be useful to indicate to the user through visual indicators the

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association with other nodes. Therefore, based on a search event that can be generated by placing a cursor over a node in the first or root node, the node can be highlighted and the sub-nodes matching the search criteria can be also displayed to the user. Bates shows the nodes directly displayed underneath one another in figure one. If the nodes, where directly under one another as shown in figure 1, 62, 76, 66, etc then the displayed information in the browser window would be displayed alongside the first, second and third category level.

With respect to **dependent claims 16 and 19**, Bates teaches the *system wherein the categorization structure resides with the pages of media content but is not displayed on the display device with the media content until a browser places the cursor on the starting symbol (Bates column 14, lines 1-20 and Figures 5-8)*. Bates teaches the interface responds to a variety of event on the display, which can include requiring the user to click on a node to open the browser. However, Bates does not teach the user places the cursor over the window and the window is opened without clicking. This limitation has been addressed in the above rejection of claim 3. As mentioned in the above discussion, it would have been obvious to one of ordinary skill in the art at the time of the invention, to apply the teachings of Finseth to Bates to provide the missing limitation of opening a browser window, without the user clicking, based on a JavaScript event. Bates suggests using JavaScript within a browser window and Finseth provides a specific example of using JavaScript to open a window, which is the motivation to combine the two references.

With respect to **dependent claim 17**, Bates teaches the *system wherein the media content are the pages of a web site* (Bates column 13, lines 20-35 and column 6, lines 36-57).

With respect to **dependent claim 18**, Bates teaches the *system wherein a browser can navigate and browse the different category titles in the different category levels of the categorization structure without having to download a web page from the storage device and without having to navigate back and forth between different web pages* (Bates column 28, lines 1-25 and column 29, lines 35-50).

Bates teaches a caching mechanism that provides the web pages locally so that the browser pages do not have to be downloaded to the system and can provide access to the pages by the user. The map can indicate which pages are locally stored and remotely stored and can provide the user with the ability to update the pages. As shown in claim 1, Bates teaches a process of allowing the user to navigate through the structure without having to switch back and forth between pages.

In regard to **Independent claim 22**, Bates teaches a *system for navigating and browsing electronic media, comprising:*

- *A device for viewing of digitally stored information, the device being configured to display at least portions of a categorization tree structure having a plurality of cascading category lists, each list displaying of the plurality of cascading category lists comprising a plurality of category titles to electronic media content stored on at least one storage device* (Bates, column 6, lines 30-36) Bates shows a nested categorization structure with connected nodes. Bates shows the media items in a nested in structure (see figure 1). Bates teaches a parent child node structure where Parent nodes are displayed as bars and child nodes extend from the bars and represented by circles on the bars see column ten lines 25 -60. Bates teaches that each node in the structure are represented as HTML documents and can represent a variety of media types (See column 13, lines 20-35). The nodes are linked by association either directly or indirectly and are represented as such

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through a series of interconnected linkages. Bates further teaches the structure can be applied to databases and **menu systems** (See column 6, lines 60-67).

- Each category title having a selectable link-token to the stored content file for said each category title, wherein the device is configured to display one or more link-tokens comprised in the stored content file for said each category title in response to placement of a cursor on the selectable link token of said each category title* (Bates column 6, lines 35-60) Bates shows the linked objects can be multimedia items consisting of moving images, sounds, animations, HTML documents etc. Bates further teaches the linked records can be a vocal or on a wide area network and show information from a database or menu system (See Column 6, lines 60 – 67 and column 13, lines 20-35). Bates teaches events can transpire using JavaScript to open a window (See column 14, lines 1-20 and column 6, lines 5—55).
- whereby the system enables and the category titles in the different plurality of category lists able to be browsed independently of selecting and retrieving stored content files for any title from the at least one_storage device* (Bates column 22, lines 1-10 an figure 1 and column 11, lines 50-67 and column 15, 45-67). Bates teaches a browser, meaning a user, can browse the structure visually and can select any one of the nodes displaying content on the display device.
- (Finseth column 8, lines 40-67 and column 9, lines 1-20 and column 10, lines 1-20). Finseth teaches the user can move a cursor of media content on the display where the content comprises nested structures and the movement of the cursor will cause an image to appear showing the content of the hyperlink to the user without the user clicking on the image. Further, the image will also contain link tokens for the user to select to see the subcategory items and where the link tokens are independent titles and the information can be stored in cache or on a disk in the device.

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- Wherein the categorization structure enables a user viewing content from **any** category title in the categorization structure to retrieve content of any other category title in the categorization structure using a single retrieval command (See Bates figure 1). Bates clearly teaches the user can view content in one node, via the opened browser (See column 9, lines 10-25) and can select through a click (See column 22, lines 1-10 and column 24, lines 47-55) any other node on the graph structure to see the contents of the desired node. Bates clearly shows several levels and subject matter specific category nodes can be displayed (See column 33, lines 10-15).

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Bates does not expressly teach:

Without clicking on or invocation of the selectable link token of said each category title,

Finseth teaches that a search result is presented to the user and the user can place the cursor over the result and in either a popup or frame or representation next to the result and image map appears showing the content linked to the first result (Finseth Figures 5-8 and column 8, lines 45-67 and column 9, lines 5-20 and column 10, lines 1-15). The subsequent information is presented to the user with or without clicking on the content and the subsequent information can comprise links to further information that would also comprise image information for subsequent links. The hidden structures are not displayed until the user moves the cursor over the link and the titles contain link tokens to the information (See column 5, lines 10-20). Bates and Finseth teach displaying search results and displaying HTML maps. They both also teach a process of displaying to the user in a browser window the search results without removing the other search information from the display.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention, having the teachings of Finseth and Bates in front of them, to combine the Java Script controls in Finseth to allow the browser window to popup without clicking with the browser popup in Bates to allow the browser to popup without clicking. Bates teaches capturing a variety

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of events on the browser window, which can be JavaScript events (See column 6, lines 50-52) and column 14, lines 1-15) and Finseth describes a specific example of a JavaScript event to open a browser window, which is the motivation to combine the two references. Moreover, Bates teaches navigation and display features known in conventional GUI systems can include displaying frames within the map display and Finseth teaches the contents of a frame within a browser would change according to aspects within JavaScript.

In regard to **dependent claim 23**, as indicated in the above discussion Bates in view of Finseth teaches every element of claim 22.

Bates teaches a *method for navigating and browsing electronic media* See figure 1 and column 11, lines 50-67 and column 6, lines 35-60):

- Bates does not expressly teach *Placing the cursor of the system of claim 22 on a first selectable link-token to the second content file for a first category title of said plurality of category titles; Viewing one or more link-tokens comprised in the stored content file for the first category title displayed in response to the step of placing.*

However, Finseth teaches that a search result is presented to the user and the user can place the cursor over the result and in either a popup or frame or representation next to the result and image map appears showing the content linked to the first result (Finseth Figures 5-8 and column 8, lines 45-67 and column 9, lines 5-20 and column 10, lines 1-15). The subsequent information is presented to the user with or without clicking on the content and the subsequent information can comprise links to further information that would also comprise image information for subsequent links. The hidden structures are not displayed until the user moves the cursor over the link and the titles contain link tokens to the information (See column 5, lines 10-20). Bates and Finseth teach displaying search results and displaying HTML maps. They both also teach a process of displaying to the user in a browser window the search results without removing the other search information from the display.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention, having the teachings of Finseth and Bates in front of them, to combine the JavaScript controls in Finseth to allow the browser window to popup without clicking with the browser popup in Bates to allow the browser to popup without clicking. Bates teaches capturing a variety of events on the browser window, which can be JavaScript events (See column 6, lines 50-52) and column 14, lines 1-15) and Finseth describes a specific example of a JavaScript event to open a browser window, which is the motivation to combine the two references. Moreover, Bates teaches navigation and display features known in conventional GUI systems can include displaying frames within the map display and Finseth teaches the contents of a frame within a browser would change according to aspects within JavaScript.

Claims 12-13 are rejected under 35 USC 103(a) as being unpatentable over Bates et al. (hereinafter Bates) U.S. Patent No. 5877766 issued Mar. 2, 1996 and filed Aug. 15, 1997, in view of Katinsky et al. (hereinafter Katinsky) U.S. Patent No. 6452609 Sept. 17, 2002 and Filed Nov. 6, 1998.

With respect to **dependent claims 12 and 13**, as indicated in the above discussion Bates teaches every element of claim 1.

Bates teaches the system wherein when the cursor is moved from a category level having a plurality of category titles which are sub-categories of a title in a higher category level, the category level with the plurality of sub-category titles and all subsequent category levels (See Bates drag to select, column 24, lines 1-40). Bates teaches the user can drag a display slider through one or more nodes displayed on the map, which can represent one or more levels and categories of information. Each node can be subject specific matter that can represent a category (See column 22, lines 1-10). Bates teaches the nodes can be displayed as a pop-up or a menu (See column 24, lines 20-36). Bates does not specifically teach that the node cease to be displayed on the display device (Finseth column 8,

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lines 50-67 and column 9, lines 1-20 and column 10, lines 1-20). However, these limitations would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Katinsky, because Katinsky teaches a pop-up menu that will cease to exist as the user traverses it. Bates suggests using a pop-up menu, and Katinsky is a specific example of displaying search results in a pop-up menu. For example (See Katinsky figure 4-5 and 17). Katinsky teaches the user can browse a menu item and if the menu has sub-items that the user browses that lower tree. The user can, while holding the mouse, simply move back up the tree to the next higher level and select the next menu item, which would cause the previous lower tree to cease to exist. The motivation to combine Katinsky with Bates comes from the suggestion in Katinsky to display to the user a navigation path through a menu and as Katinsky suggests select media object items without having to reload the webpage (See column 2, lines 45-65) and can utilize the teachings of JavaScript and DHTML to display a hierarchy of menu items to the user that can be rolled over and via a command the menu can cease to exist because the user has selected another command (See column 14, lines 1-67).

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

Response to Arguments

5. Applicant's arguments, see appeal brief, filed 01/08/2008, with respect to the rejection(s) of claim(s) 1-25, 29 under Finseth in view of Wolfston have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Bates and Bates in view of Finseth and Bates in view of Katinsky.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN B. THERIAULT whose telephone number is (571)272-5867. The examiner can normally be reached on Mon.-Fri. 10 am - 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Steven B Theriault/
Examiner
Art Unit 2179

/Weilun Lo/

Supervisory Patent Examiner, Art Unit 2179